

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JUSTIN S. DRAKE,

No. C-11-6251 EMC (pr)

Petitioner,

v.

**ORDER OF DISMISSAL**

VIMAL SINGH, acting warden,

Respondent.

On July 9, 2012, mail was sent from the Court to Petitioner at the address he provided on his petition and was returned undelivered on July 26, 2012, marked “return to sender,” “unclaimed/not in custody,” and “Reg. 2,” indicating the inmate may have been paroled to Region 2. Petitioner has not provided any address other than the one to which the undeliverable mail was sent, and Court staff has not been able to locate him using the prisoner identification number he provided. More than sixty days have passed since the mail was returned to the Court undelivered. Petitioner has failed to comply with Local Rule 3-11(a) which requires that a party proceeding *pro se* must “promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address” when his address changes. Local Rule 3-11(b) allows the court to dismiss an action without prejudice when mail directed to a *pro se* party is returned as not

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1 deliverable and the *pro se* party fails to send a current address within sixty days of the return of the  
2 undelivered mail. This action is dismissed without prejudice because Petitioner failed to keep the  
3 Court informed of his address in compliance with Local Rule 3-11(a). The Clerk shall close the file.

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5 IT IS SO ORDERED.

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7 Dated: January 4, 2013

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EDWARD M. CHEN  
United States District Judge